



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Consent
January 7, 2010

Honorable Mayor and
Members of the City Council

Title: City College Light Rail Station Pedestrian/Bicycle Crossing Project
(T15065700)

Location/Council District: North side of Sutterville Road adjacent to and east of the Sacramento City College campus. (District 5)

Recommendation: Adopt a **Resolution:** 1) accepting the Feasibility Study Report; and 2) adopting the Mitigated Negative Declaration and the Mitigation Monitoring & Reporting Program.

Contact: Cecilyn Foote, Associate Civil Engineer (916) 808-6843; Ryan Moore, Supervising Engineer (916) 808-8279

Presenters: None

Department: Transportation

Division: Engineering Services

Organization No: 15001121

Description/Analysis

Issue: A feasibility study for a new alternative mode connection from the Sacramento Regional Transit Station located on the Sacramento City College campus to Curtis Park Village has been completed. Adopting the Mitigated Negative Declaration and the Mitigation Monitoring & Reporting Program are necessary to move forward in the design phase of this project.

Policy Considerations: This project is in accordance with the City Operating Principles of promoting safety and enhancing livability and sustainability.

Environmental Considerations:

California Environmental Quality Act (CEQA): A Mitigated Negative Declaration (MND) was prepared and circulated for public review. Only one written comment was submitted and is attached to this staff report.

The Department of Toxic Substances Control (DTSC) submitted a letter dated September 8, 2009. DTSC is the lead agency overseeing the investigation and remediation of hazardous substances releases at the Union Pacific Railroad Company, Curtis Park Railyard Site. The letter recommended that all areas that may have encountered contamination be investigated and, if necessary, remediated prior to any project activities. It also stated that soil contaminated to hazardous waste levels must be handled, stored, treated, transported, and disposed of in compliance with state and federal laws and regulations.

The information provided in the DTSC letter was included in the Initial Study / Mitigated Negative Declaration (IS/MND) that was circulated for public review. The suggestions made for testing and remediation of any potential hazardous materials within the project site are consistent with the proposed mitigation in the IS/MND. For these reasons, it was determined that there was no need to revise the IS/MND.

In compliance with Section 15070(b)1 of the California Environmental Quality Act (CEQA) Guidelines, a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program were prepared to mitigate potential environmental impacts. In accordance with Section 21081.6 of the California Public Resource Code, a Mitigation Monitoring & Reporting Program must be developed for implementing mitigation measures as identified in the Initial Studies. Subject to potential modification of mitigation as a result of discussions with the resource agencies, it was determined that there is no substantial evidence that the project, with the adoption of the mitigation measures identified in the Initial Studies, will have a significant effect on the environment.

Since it is anticipated that the project will receive federal funds, an environmental analysis is being prepared to satisfy the requirements of the National Environmental Policy Act (NEPA).

Sustainability Considerations: This project is consistent with Sustainability Master Plan goals to help to enhance the pedestrian facilities in the public right-of-way and to encourage bicycle and pedestrian trips.

Other: None.

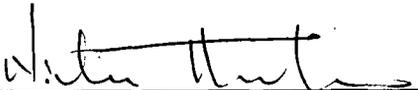
Commission/Committee Action: None.

Rationale for Recommendation: The Feasibility Study Report provides an analysis of alternative mode facilities between Sacramento City College/Light Rail Station and Curtis Park Village, which is a project ranked eleventh in the 2008 Transportation Programming Guide (TPG). Adoption of the Mitigated Negative Declaration and the Mitigation Monitoring & Reporting Program are necessary to proceed with this project.

Financial Considerations: The City College Light Rail Station Pedestrian/Bicycle Crossing Project (T15065700) has a total budget of \$1,947,680 consisting of a Community Design Grant provided by the Sacramento Area Council of Governments (SAGOG), Transportation Development Act (TDA), and Proposition 1B funds.

There are no general funds planned or allocated for this project.

Emerging Small Business Development (ESBD): None, since no goods or services are being procured with this action.

Respectfully Submitted by: 
Nicholas Theocharides
Engineering Services Manager

Approved by: 
for Jerry Way
Director of Transportation

Recommendation Approved:


Ray Kerridge
City Manager

Table of Contents:

Report	Pg. 1
Attachments	
1 Background	Pg. 4
2 Resolution	Pg. 6
Exhibit A - Location Map	Pg. 8
Exhibit B - Feasibility Study Report	Pg. 9
Exhibit C - Comment Letter	Pg. 10
Exhibit D - Mitigated Negative Declaration	Pg. 13
Exhibit E - Mitigation Monitoring & Reporting Program	Pg. 14

Attachment 1**Background**

The City College Light Rail Station Pedestrian/Bicycle Crossing Project (T15065700) proposes to construct a new bicycle/pedestrian crossing that will extend from the Light Rail Transit (LRT) Station at Sacramento City College to the existing and proposed new neighborhoods east of the Union Pacific Railroad (UPRR) tracks. The new crossing will provide a safe and convenient traverse between the LRT station and the proposed Curtis Park Village residential/commercial development project and existing Curtis Park neighborhood.

The Feasibility Study Report provides estimated costs, benefits, and concerns of alternative methods of providing safe pedestrian and bicycle access across the multiple UPRR and LRT tracks. The study also provides environmental documentation, public outreach to inform and gain consensus, and preliminary design for the proposed alternative including construction cost estimate. The preliminary engineering performed as part of this study provides the necessary documentation to support the proposed siting (location of crossing along the tracks) and geometry of the proposed alternative, planning level evaluation of each alternative considered, and conclusions reached.

The City of Sacramento's Environmental Planning Services conducted an initial study on the City College Light Rail Station Pedestrian/Bicycle Crossing Project (T15065700) to determine if the project could have a significant effect on the environment. The Initial Study/Mitigated Negative Declaration was released on August 10, 2009 for a 30-day review period. One written comment letter was received.

The Department of Toxic Substances Control (DTSC) submitted a letter dated September 8, 2009. DTSC is the lead agency overseeing the investigation and remediation of hazardous substances releases at the Union Pacific Railroad Company, Curtis Park Railyard Site. The letter recommended that all areas that may have encountered contamination be investigated and, if necessary, remediated prior to any project activities. It also stated that soil contaminated to hazardous waste levels must be handled, stored, treated, transported, and disposed of in compliance with state and federal laws and regulations.

The information provided in the DTSC letter was included in the Initial Study / Mitigated Negative Declaration (IS/MND) that was circulated for public review. The suggestions made for testing and remediation of any potential hazardous materials within the project site are consistent with the proposed mitigation in the IS/MND. For these reasons, it was determined that there was no need to revise the IS/MND.

The adoption of the Mitigated Negative Declaration and the Mitigation Monitoring & Reporting Program are required to comply with the California Environmental Quality Act and will allow staff to move forward in the design phase.

Additionally, an environmental analysis is being prepared to satisfy the requirements of the National Environmental Policy Act (NEPA) since it is anticipated that the project will receive federal funds. In October 2009, a grant application for this project was submitted to the Sacramento Area Council of Governments (SACOG) for the Regional/Local Funding Program for Design and Construction funding. The City expects to receive a determination in early 2010 as to whether or not the grant funds will be awarded.

Attachment 2

RESOLUTION NO.

Adopted by the Sacramento City Council

**ACCEPTING THE FEASIBILITY STUDY REPORT AND ADOPTING THE MITIGATED
NEGATIVE DECLARATION AND THE MITIGATION MONITORING & REPORTING
PROGRAM FOR THE CITY COLLEGE LIGHT RAIL STATION
PEDESTRIAN/BICYCLE CROSSING PROJECT (T15065700)**

BACKGROUND

- A. The project proposes to construct a new bicycle/pedestrian crossing that will extend from the Light Rail Transit (LRT) Station at Sacramento City College to the existing and proposed new neighborhoods east of the Union Pacific Railroad (UPRR) tracks.
- B. The Feasibility Study Report provides estimated costs, benefits, and concerns of alternative methods of providing safe pedestrian and bicycle access across the multiple UPRR and LRT tracks. The study also provides environmental documentation, public outreach to inform and gain consensus, and preliminary design for the proposed alternative including construction cost estimate.
- C. The Draft Initial Study/Mitigated Negative Declaration (IS/MND) was released on August 10, 2009 for a 30-day review period. One written comment letter was received. The comments from the Department of Toxic Substances Control (DTSC) on testing and remediation of any potential hazardous materials within the project site were consistent with the proposed mitigation in the IS/MND. For these reasons, it was determined that there was no need to revise the IS/MND.
- D. The Mitigated Negative Declaration (MND) reflects the lead agency independent judgment and analysis that there is no substantial evidence that the project will have a significant effect on the environment.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The Feasibility Study Report for the City College Light Rail Station Pedestrian/Bicycle Crossing Project (T15065700) is accepted.
- Section 2. The Mitigated Negative Declaration (MND) and the Mitigation Monitoring &

Reporting Program for the City College Light Rail Station Pedestrian/Bicycle Crossing Project (T15065700) are adopted.

- Section 3. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment
- Section 4. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.
- Section 5. Exhibits A through E are incorporated into and made part of this resolution.

Table of Contents:

- Exhibit A:** Map of City College Light Rail Station Pedestrian/Bicycle Crossing Project
- Exhibit B:** Feasibility Study Report
- Exhibit C:** Comment Letter
- Exhibit D:** Mitigated Negative Declaration
- Exhibit E:** Mitigation Monitoring & Reporting Program

EXHIBIT A

Location Map for
City College Light Rail Station
Pedestrian/Bicycle Crossing Project
(T15065700)

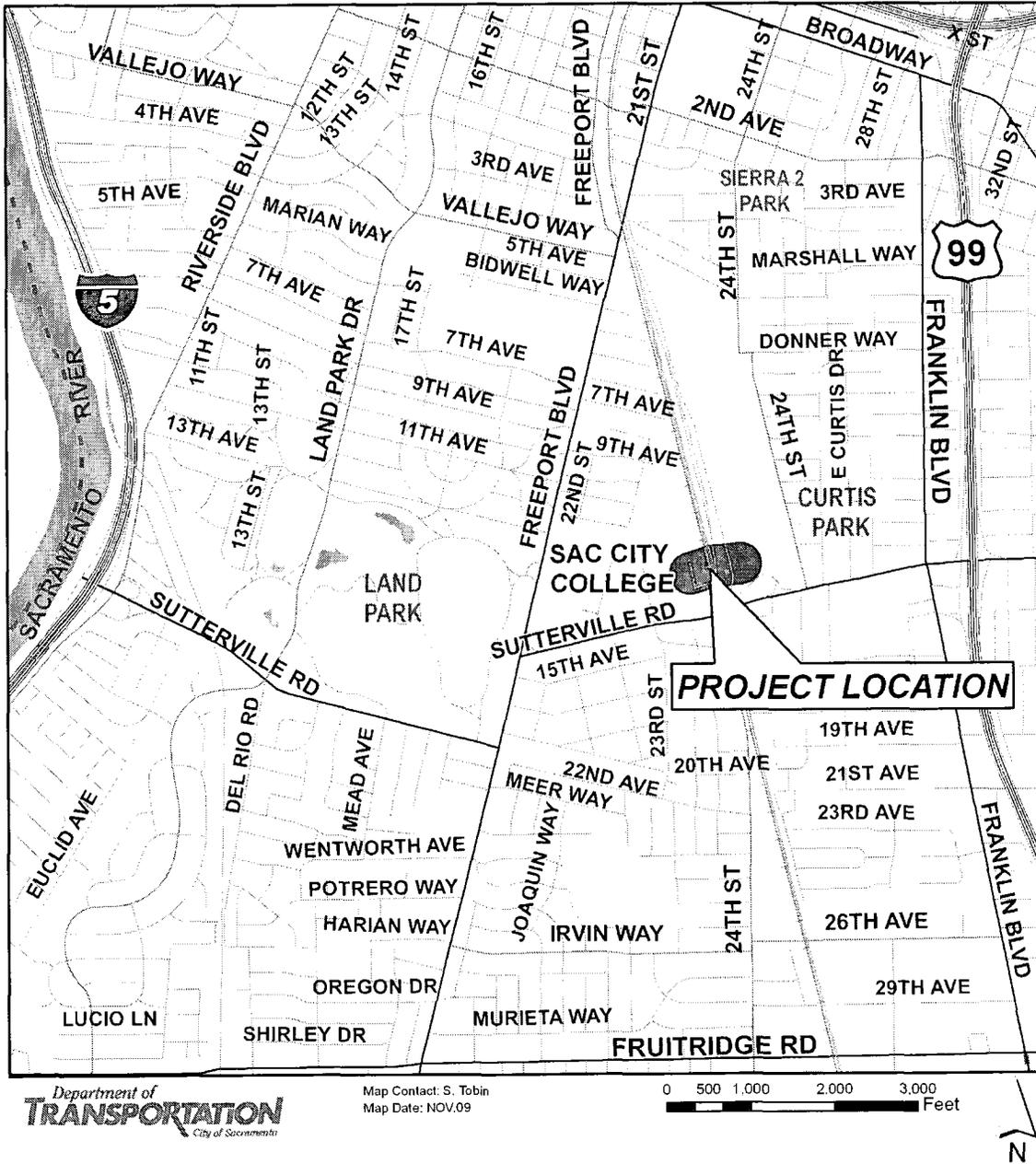


Exhibit B

Feasibility Study Report
(Available in City Clerk's Office)

Exhibit C



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Arnold Schwarzenegger
Governor

September 8, 2009

Mr. Scott Johnson
Associate Planner
City of Sacramento
Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, California 95811

**NOTICE OF AVAILABILITY/INTENT TO ADOPT – DRAFT MITIGATED NEGATIVE
DECLARATION FOR THE SACRAMENTO CITY COLLEGE LIGHT RAIL TRANSIT
(LRT) STATION PEDESTRIAN/BICYCLE OVERCROSSING (T15065700)**

Dear Mr. Johnson:

The Department of Toxic Substances Control (DTSC) has reviewed the Draft Mitigated Negative Declaration (DMND) and the initial Study prepared for the Sacramento City College Light Rail Transit (LRT) Station Pedestrian/Bicycle Overcrossing. DTSC is the lead agency overseeing the investigation and remediation of hazardous substances releases at the Union Pacific Railroad Company, Curtis Park Railyard Site. The remediation is being conducted pursuant to an Enforceable Agreement issued in March 1987 by DTSC to Union Pacific Railroad Company (UP). Soil and Groundwater are being remediated in accordance with the 1995 Remedial Action Plan (RAP) approved for the Site. In 2003, Curtis Park Village LLC (CPV), purchased the Inactive Portion of the Railyard from UP and is currently implementing the remediation at the Site. In July, CPV notified DTSC of their intention to amend the approved RAP by including evaluation of additional remedial alternative to address the increase volume of impacted soil required to be remediated at the Site. The proposed project area is located in the City of Sacramento just north of Sutterville Road between Freeport Boulevard to the west and 24th Street to the east. Within the project area is the Sacramento City College main campus. East and adjacent to the main college campus is a LRT station and UPPR tracks, which run in a north-south direction west of 24th Street, and a maintenance yard. Further east of the project areas lies a fallow, undeveloped piece of land that is planned as mixed-use infill development. The proposed Sacramento City College LRT Station Pedestrian/Bicycle Overcrossing project consists of development of a pedestrian and bicycle overcrossing with ADA Compliant ramps on both ends that extends on the west from the lawn area of Sacramento City College, past the parking

Mr. Scott Johnson
September 8, 2009
Page 2

garage, then over the LRT tracks, the UPPR main tracks, and the maintenance yard to the proposed Curtis Park Village development on the east.

The *Hazards and Hazardous Materials* section of the document identified other sites in addition to the Curtis Park Railyard Site that may potentially contain hazardous materials/wastes. DTSC recommends that all areas where contamination may be encountered be investigated and, if necessary, remediated prior to beginning of project activities. In addition, if soil contamination is found at hazardous waste levels, it must be handled, stored, treated, transported, and disposed of in compliance with state and federal laws and regulations. Replacing contaminated soil that is hazardous waste may constitute a release and disposal and require measures to protect public health and the environment.

DTSC has a Voluntary Cleanup Program (VCP) to assist interested parties in evaluating and mitigating risks posed by hazardous substances releases. An interested party can apply for the VCP by utilizing the California Environmental Protection Agency's Brownfield Memorandum of Agreement (MOA) application to request agency oversight of the investigation and remediation of the site. The application form can be found at:

<http://www.calepa.ca.gov/Brownfields/MOA/>

If you have any questions regarding the comments, please contact me at (916) 255-3643.

Sincerely,



Thomas Tse
Project Manager
Brownfields and Environmental Restoration Program

cc: Mr. Philip J. Harvey
Director of Development
Petrovich Development Company
5046 Sunrise Blvd., Suite One
Fair Oaks, California 95628

Mr. Benjamin P. Leslie-Bole, Principal
Environmental Resources Management
1777 Botelho Drive, Suite 260
Walnut Creek, California 94596

Mr. Scott Johnson
September 8, 2009
Page 3

cc: Mr. Scott Morgan
Acting Director
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
1400 Tenth Street
P.O. Box 3044
Sacramento, California 95812

Planning and Environmental Analysis **(sent via email)**
CEQA Tracking Center
Department of Toxic Substances Control
1001 I Street
P.O. Box 806
Sacramento, California 95812-0806

Mr. Fernando Amador, P.E. **(sent via email)**
Supervising Hazardous Substances Engineer
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Exhibit D

Mitigated Negative Declaration
(Available in City Clerk's Office)

Exhibit E

Mitigation Monitoring & Reporting Program
(Available in City Clerk's Office)